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Paper No. 12

LAFF WHITESEL & SARET LTD  
401 NORTH MICHIGAN AVENUE SUITE 1700  
CHICAGO, IL 60611

In re Application of :  
Bendiner :  
Reissue Application No. 09/721,586 :  
Filed: November 22, 2000 :  
Attorney Docket No.: 5565x4 :  
For: PRESERVATIVE FOR ORGANIC :  
MATERIALS :  
:

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**FEB 27 2002**

**OFFICE OF PETITIONS**

DECISION ACCORDING STATUS  
UNDER 37 CFR 1.47(b)

This is in response to the renewed petition under 37 CFR 1.47(b), filed January 8, 2002 (Certificate of Mailing date of November 5, 2001) and supplemented via facsimile on January 31, 2002.

The petition is **GRANTED**.

Petitioner has shown that the inventor Bernard Bendiner refused to join in the filing of the above-identified application after having been presented with the application papers.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be returned to the Office of Initial Patent Examination for issuance of a corrected filing receipt.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Alesia M. Brown at (703) 305-0310.

*Beverly M. Flanagan*  
Beverly M. Flanagan  
Supervisory Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy



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BERNARD BENDINER  
326 WOODSEdge, STE. B  
MICHIGAN CITY, IN 46360

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Bendiner  
Reissue Application No. 09/721,586  
Filed: November 22, 2000  
Attorney Docket No.: 5565x4  
For: PRESERVATIVE FOR ORGANIC  
MATERIALS

LETTER

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**FEB 27 2002**

**OFFICE OF PETITIONS**

Dear Mr. Bendiner:

You are named as the inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Alesia M. Brown at (703) 305-0310. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

*Beverly M. Flanagan*  
Beverly M. Flanagan  
Supervisory Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

CC: LAFF WHITESEL & SARET LTD  
401 NORTH MICHIGAN AVENUE SUITE 1700  
CHICAGO, IL 60611

INITIAL SCREENING OF INCOMING PAPERS CHECKLISTReviewer: J ChaseDate: 3-9-02

1615

APPLICATION NO. 09/7215841. PETITION TYPE CODE

R137(a) Petition-----501  
 R137(a) Petition -----509  
     (Issue Fee/Dwgs)  
 R137(b) Petition-----502  
 R137(b) Petition-----510  
     (Issue Fee/Dwgs)  
 R137(f) Petition-----536  
 R182 Petition-----519  
 R183 Petition-----503  
 R378(b) Petition-----532  
 R378(c) Petition-----533  
 R377 Petition-----521  
 R3.81(b) Petition-----523  
 R181 Petition-----515  
 R181 Petition-----504

PETITION TYPE CODE

R28c Petition-----301  
 R47 Petition-----309  
 R53(e) Petition-----408  
 R53 (R62 filing date)-----410  
 R10 Petition-----412  
 Lost Application-----412  
 R78(a)(3) Petition-----535  
 R78(a)(6) Petition-----535  
 R55(c) Petition-----535  
 R314 Petition-----508  
 R55(a) Petition-----507  
 Pet. W/D Abn-----525  
 R705(b)/c-PTA-Bef iss-----550  
 R705(d) PTA-Aft iss-----551  
 Other \_\_\_\_\_

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<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Issue Fee	<input type="checkbox"/> Priority Documents
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Other Papers \_\_\_\_\_

3. Is paper a petition to withdraw holding of abandonment:  yes  no  
 If so, send paper and/or file to appropriate location (Note: remove any flag set first):

- Nonreceipt of action from TC or assertion that reply was timely filed:  
     Send paper to TC \_\_\_\_\_
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- Assertion of timely payment of issue fee and/or submission of drawings:  
     Send petition to Office of Publications: ATTN: Tom Hawkins
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5. Is petition accompanied by assignment papers, fee address, or other paper which needs to be sent to another location?  yes  no If so, make copy of assignment papers, fee address, or other paper; mail original to proper location and place copy in file with an indication that the original paper(s) has been forwarded to the appropriate location (Assignment Branch; Maintenance Fee Division, etc.)



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401 NORTH MICHIGAN AVENUE SUITE 1700  
CHICAGO, IL 60611-3200

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